

Department of Permits Approvals and Inspections
111 West Chesapeake Avenue
Towson, Maryland 21204
Baltimore County, Maryland

In the Matter of

Civil Citation No. 90832

Gregory K Kastina Jr.

27 Eastship Road

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE ADMINISTRATIVE LAW JUDGE

This matter came before the Administrative Law Judge on April 20, 2011 for a Hearing on a citation for violations under the Baltimore County Code (BCC). The Respondent was charged with violating BCC §13-4-201 (b) and (d), failure to store waste in a rodent resistant watertight container with tight fitting lids; §13-7-312, failure to remove junk and furniture from residential property.

On April 5, 2011, pursuant to § 3-6-205, Baltimore County Code, Inspector David Gaine issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$3,000.00 (three thousand dollars).

The following persons appeared for the Hearing and testified: Gregory K. Kastina, Respondent and owner of the premises and David Gaine, Baltimore County Code Enforcement Officer.

Inspector Gaine presented the County's case, and submitted as evidence a series of photographs depicting the rear yard of the premises, which is littered with trash and broken furniture. The Inspector testified that this junk and debris has remained on the premises for some time, and a pre-hearing inspection on April 18, 2011 revealed that the unsightly conditions persisted, and the Respondent has taken no action to bring the property into compliance, which is especially troubling given that this area of the County has experienced a surge in rat infestation and harborage. The Respondent acknowledged the unsightly and unsanitary conditions on the premises, and advised he has been trying to renovate the home and save the property from foreclosure.

THEREFORE:

IT IS ORDERED by the Administrative Law Judge that a civil penalty be imposed in the amount of \$1,000.00 (one thousand dollars).

IT IS FURTHER ORDERED that \$950.00 of the \$1,000.00 civil penalty be suspended, with an immediate \$50.00 fine imposed at this time. If not paid within 30 days of billing, the \$50.00 penalty shall be placed as a lien upon the premises.

IT IS FURTHER ORDERED that the suspended \$950.00 penalty be imposed if the property is not brought into compliance by Friday April 29, 2011.

IT IS FURTHER ORDERED that the suspended \$950.00 penalty be imposed if there is a subsequent finding against the Respondent for the same violation within one year of the date of this Order.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 22ND day of April 2011

Signed: ORIGINAL SIGNED
John E. Beverungen
Administrative Law Judge

NOTICE TO RESPONDENT: The Respondent is advised that pursuant to §3-6-301(a) of the Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security in the amount of the penalty assessed.